

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
 Replacement of Part 90 by Part 88)
 to Revise the Private Land Mobile)
 Radio Services and Modify the)
 Policies Governing Them)
)
 and)
)
 Examination of Exclusivity and)
 Frequency Assignment Policies)
 of the Private Land Mobile Radio)
 Services)

PR Docket No. 92-235

To: The Commission

COMMENTS ON PETITIONS FOR RECONSIDERATION

Pursuant to § 1.429 of the Commission's Rules, 47 C.F.R. § 1.429, Securicor Radiocom Limited and Linear Modulation Technology Limited (collectively "Securicor") respectfully submit their comments on the petitions for reconsideration filed in the above-referenced proceeding.¹ A total of 22 petitions for reconsideration were filed, including one by Securicor. In its Petition for Reconsideration, Securicor demonstrated that a 5 kHz band channelization plan offered the greatest opportunity to increase spectrum efficiency, and therefore capacity, in the Private Land Mobile Radio ("PLMR") bands -- the most important objective established by the Commission

¹ In the Matter of Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Radio Services, Report and Order and Further Notice of Proposed Rule Making, PR Docket No. 92-235 (released Jun. 23, 1995) ("Report and Order").

in this docket.

E.F. Johnson Company ("E.F. Johnson") similarly noted in its Petition for Reconsideration that in the 150-174 MHz band, a 5 kHz band plan "clearly constitutes a more efficient use of spectrum than 7.5 kHz channelization."² E.F. Johnson accurately pointed out that a 5 kHz plan could be implemented using existing channel centers and could accommodate efficient wideband technology with less loss of spectrum due to "white space." Midland International Corporation ("Midland") also is concerned that the channelization plan adopted by the Commission in the Report and Order will result in 5 kHz technology being orphaned as users and manufacturers conclude that 6.25 kHz technology is all that is necessary to achieve the efficiency goals set out by the Commission.³ SEA Inc. ("SEA") reiterates a number of points as to why 5 kHz channelization is superior to the 6.25 kHz and 12.5 kHz channel widths chosen by the Commission.⁴ SEA states that "[i]n adopting a 6.25 kHz narrowband channel bandwidth plan, nearly all of the advantages that would have been possible with a 5 kHz plan are lost."⁵

The Petitioners collectively have raised a number of issues pertaining to the band plan, transition periods and technical rules adopted in the Report and Order. Securicor will not address each of these issues in these Comments, and will limit its Comments here only to those items in its view that are most germane to providing equipment manufacturers with the proper incentives to develop and deploy spectrally-efficient equipment. Securicor, however, disagrees with several

² Petition for Reconsideration filed by E.F. Johnson Company at 4.

³ See Petition for Reconsideration filed by Midland International Corporation at 2.

⁴ See Petition for Reconsideration filed by SEA Inc. at 2, n.3.

⁵ Id. at 2-3.

points raised by Motorola Inc. ("Motorola") and Kenwood Communications Corporation, Uniden America Corporation, and Maxon America, Inc. (collectively "Joint Petitioners") in their respective petitions for reconsideration.

Motorola asks the Commission to create an exception to the type acceptance requirements for 25 kHz equipment as set forth in the Report and Order indefinitely to permit Class II permissive changes without demonstrating compliance with the Commission's new spectrum efficiency standards. Motorola contends minor modifications to 25 kHz equipment would be "impractical" if the dual mode capability requirement remains in place.⁶ In the Report and Order, the Commission sought to adopt a flexible framework designed to increase spectrum efficiency in the private land mobile radio ("PLMR") services through a type acceptance process for equipment.⁷ These rules set forth dates by which new type accepted equipment must be capable of operating on narrower PLMR channels.⁸ In contrast to this goal of increasing spectrum efficiency, the Commission nevertheless recognized that some flexibility was appropriate to permit manufacturers to continue to support their existing equipment.⁹ Thus, manufacturers are allowed to continue manufacturing spectrally-inefficient equipment as that equipment is currently configured, or they may upgrade or modify such equipment provided a multi-mode feature is added.¹⁰

Motorola's request upsets this reasonable balance established by the Commission.

⁶ Petition for Reconsideration and Clarification filed by Motorola Inc. at 4.

⁷ Report and Order at ¶ 37.

⁸ Id. at ¶ 38.

⁹ Id. at ¶ 39.

¹⁰ 47 C.F.R. § 90.203(j)(6).

The Report and Order is designed to encourage the adoption of increasingly efficient narrowband technology without penalizing users of existing wideband equipment. Motorola's request would perpetuate the use of spectrally-inefficient equipment by excusing in perpetuity compliance with the multimode requirement. Since this is inconsistent with the Commission's primary goal in this proceeding, it should be rejected. If the Commission believes that Motorola's suggestion has any merit, it should sunset any exception that might be adopted in no more than five years from the date of adoption of the Report and Order so that this limited exception does not facilitate the indefinite availability of wideband equipment which does not meet the Commission's efficiency standards.

Motorola has raised a valid point regarding the confusion between revised Section 90.207 listing specific designators and existing Rule 2.201 which contains a more extensive list of possible designators. Motorola has requested, in part, that the "W" symbol be added as a valid designator under Section 90.207. Securicor respectfully suggests that the designators in each section be harmonized, or, at a minimum, that Section 90.207 be revised to include "W" as possible third symbol indicating the type of transmitted information.

SEA argues that the frequency stability limits for 6.25 kHz equipment are unnecessarily restrictive and that the authorized bandwidth at 6 kHz is too large for 6.25 kHz-spaced channels. However, as Securicor noted in its Petition, by regulating the parameters of performance for a given channel in terms of frequency stability and emissions mask criteria, the Commission is ignoring its objective of establishing technology neutral rules. The in-channel restrictions adopted by the Commission reflect and favor existing technologies. If instead the Commission adopted the

recommendation made by Securicor¹¹ and Dr. Gregory Stone¹² that establishes "brickwall" requirements at the band edge at a specified attenuation level and focuses instead on out-of-band emissions by regulating the amount of adjacent channel interference, then emerging technologies could offer greater benefits in terms of bandwidth utilization while minimizing interference. The result of this approach would be to offer manufacturers and users the greatest amount of flexibility in deciding which equipment is best suited for the task at hand. In addition, the problems cited by SEA would not be an issue.

The Joint Petitioners have suggested that the timetable for conversion to narrowband equipment is completely unworkable.¹³ Securicor disagrees. In Securicor's view, and as established in its Petition, the current state-of-the-art in spectrum efficiency is defined by the commercially deployed 5 kHz systems operating in the U.S. in the 220-222 MHz band and in other countries, including the U.K., in the High Band. The suggestion of the Joint Petitioners that very narrowband systems are unproven¹⁴ simply ignores reality to the detriment of the public interest.

The Joint Petitioners' proposed timetables for introduction of spectrally-efficient technologies would simply delay the U.S. PLMR community's ability to benefit from the proven advantages of currently existing narrowband technology. The Joint Petitioners' lament that "there

¹¹ Petition for Reconsideration filed by Securicor Radiocom Limited and Linear Modulation Technology Limited at 35-36.

¹² See Report and Order at ¶ 78.

¹³ Petition for Reconsideration filed by Kenwood Communications Corporation, Uniden America Corporation, and Maxon America, Inc. at 11 ("Joint Petition").

¹⁴ Id. at 13.

is no current standard for VNB PLMR equipment"¹⁵ is insufficient to further delay an already accommodating schedule for narrowband technology that has been available for a number of years. All three Joint Petitioners manufacture 12.5 kHz equipment for other world markets, and 12.5 kHz is not some brand new idea that requires a significant amount of time to prove itself. In fact, 12.5 kHz technology has been available in the U.S. for many years in the 900 MHz band and in other parts of the world for over 25 years.

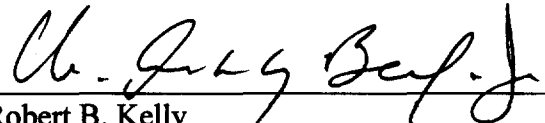
It is entirely appropriate for the Commission to decide not to determine which standard or standards shall prevail for narrowband technology. After all, the Commission has not mandated any particular standard for cellular service nor does it propose one for PCS. Securicor supports the Commission's command to "get narrow;" and, as set forth in its Petition, urges the Commission to recognize the benefits of getting more narrow.

¹⁵ Id.

For these reasons, Securicor respectfully urges the FCC to adopt on reconsideration modifications to its Report and Order that are consistent with those requested in its Petition for Reconsideration.

Respectfully submitted,

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September 21, 1995